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From the Desk of Robert D. Caudle
C/Litigation Division

NOTE FOR: Robert M. McNamara@DCI
John A. Rizzo@DCI
FROM: Robert D. Caudle
OFFICE: DCI/OGC
DATE: 02/19/99 01:50:04 PM
SUBJECT: MLK "administrative immunity" issue

We need to come to a final decision on this matter. Perhaps a brief session with the DCI for his decision, with our explanation that a negative response (which I believe the appropriate response) could result in a call from the AG and will put the DCI in the middle of this issue. I am also reluctant to propose some compromise position to DOJ without DCI blessing.

One compromise position could be that we would agree to administrative immunity for any acts arising out of the employee's activities as an undercover police officer in Memphis in 1968 except to the extent that he may make admissions about complicity in the assassination of Dr. Martin Luther King or in a conspiracy to assassinate or to cover up or provide false or incomplete information about the assassination.

This position would permit the employee to make admissions about other activity in 1968 unrelated to the King assassination without fear of administrative response from CIA. If he made admissions about the assassination, or admits to false or incomplete statements made at any time, we could take action as appropriate.

DOJ is unlikely to accept this compromise position - - it doesn't get them anywhere if their goal is to offer blanket immunity.

CC: Guyron C. Watts@DCI
Sent on 19 February 1999 at 01:50:04 PM

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